



Image

1638 AF/\$

PATENT
ATTORNEY DOCKET NO.: 054163-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Stephen A. JOBLING et al.

Application No. 09/297,703

Group Art Unit: 1638

Filed: July 19, 1999

Examiner: Anne Kubelik

For: NUCLEIC ACIDS FROM CASSAVA ENCODING STARCH BRANCH ENZYME II
(SBEII) AND THEIR USE (as amended)

MAIL STOP AF
U.S. Patent and Trademark Office
Arlington, VA 22202

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated January 8, 2004.

2. Additional papers enclosed:

- ☒ Notice of Appeal
- ☒ Duplicate copy of Kiel *et al.*
- ☒ Copy of filing postcard stamped "SEP 28 2003"

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	18	minus	79	?	x \$18 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))	4	minus	6	?	x \$86 each=	+ \$
[] First presentation of Multiple dependent claim(s)					\$290.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$ 0

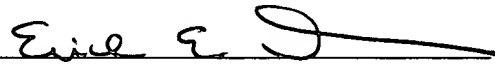
6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: March 12, 2004

By: 
Erich E. Veitenheimer
Reg. No. 40,420

CUSTOMER NO. 09629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: (202) 739-3000
Facsimile: (202) 739-3001